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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re: Application of MARK J. PERINA

Serial No.: 10/797,778

BEFORE THE BOARD OF  
PATENT APPEALS AND  
INTERFERENCES

Filed: March 10, 2004

Title: HOLLOW STRUCTURAL  
MEMBER

Appeal No. \_\_\_\_\_

Art Unit.: 3635

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Commissioner for Patents  
Alexandria, VA 22313

Dear Sir:

REAL PARTY IN INTEREST

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The Appellant has assigned all of his rights to the invention to Valmont  
Industries, Inc.; therefore, the real party in interest is Valmont Industries, Inc.

RELATED APPEALS AND INTERFERENCES

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There are no appeals or interferences related to this case.

STATUS OF THE CLAIMS

This is an appeal of the Examiner's final rejection of Claims 30-31. Claims  
30 and 31 are independent claims. Claims 1-29 have been cancelled.

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Respectfully submitted,

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Date: 7/1/08

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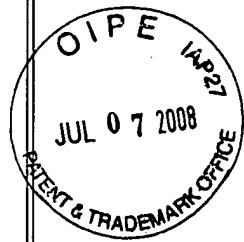
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CLAIMS APPENDIX

1 1. (Cancelled)

2 2. (Cancelled)

3 3. (Cancelled)

4 4. (Cancelled)

5 5. (Cancelled)

6 6. (Cancelled)

7 7. (Cancelled)

8 8. (Cancelled)

10 9. (Cancelled)

10 10. (Cancelled)

10 11. (Cancelled)

10 12. (Cancelled)

15 13. (Cancelled)

15 14. (Cancelled)

15 15. (Cancelled)

15 16. (Cancelled)

15 17. (Cancelled)

20 18. (Cancelled)

20 19. (Cancelled)

20 20. (Cancelled)

25 21. (Cancelled)

22. (Cancelled)

1 23. (Cancelled)

24. (Cancelled)

25. (Cancelled)

5 26. (Cancelled)

27. (Cancelled)

28. (Cancelled)

29. (Cancelled)

30. (Appealed) A hollow, elongated, structural member comprising:

10 a plurality of elongated hollow pole sections secured together in an end-to-end relationship;

each of said hollow pole sections comprising a plurality of longitudinally extending peripheral sections joined together;

15 each of said peripheral sections having upper and lower end edges and first and second side edges;

each of said peripheral sections having first and second vertically extending break lines formed therein adjacent said first and second side edges respectively to form longitudinally inwardly extending first and second 20 edge portions;

each of said peripheral sections also having a plurality of spaced-apart longitudinally extending break lines formed therein between said first and

1 second break lines to form a plurality of angled wall sections between said  
first and second break lines;

10 said edge portions of said peripheral sections being bolted together by bolt  
members to form a hollow pole section;

5 the angled wall sections immediately adjacent said first and second break lines of  
said adjacent peripheral sections defining an externally presented general  
V-shape therebetween.

31. (Appealed) A wind turbine tower, comprising:

10 a plurality of elongated hollow pole sections secured together in an end-to-end  
relationship;

each of said hollow pole sections comprising a plurality of longitudinally  
extending peripheral sections joined together;

15 each of said peripheral sections having upper and lower end edges and first and  
second side edges;

20 each of said peripheral sections having first and second vertically extending  
break lines formed therein adjacent said first and second side edges  
respectively to form longitudinally inwardly extending first and second  
edge portions;

25 each of said peripheral sections also having a plurality of spaced-apart  
longitudinally extending break lines formed therein between said first and  
second break lines to form a plurality of angled wall sections between said  
first and second break lines;

1 said edge portions of said peripheral sections being bolted together by bolt

1 members to form a hollow pole section;

5 the angled wall sections immediately adjacent said first and second break lines of

10 said adjacent peripheral sections defining an externally presented general

15 V-shape therebetween.

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EVIDENCE APPENDIX

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N/A

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RELATED PROCEEDINGS INDEX

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NONE

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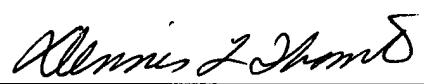
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CERTIFICATE OF MAILING

1 I hereby certify that the original of this APPELLANT'S AMENDED  
APPEAL BRIEF for MARK J. PERINA, Serial No. 10/797,778, was mailed by first  
class mail, postage prepaid, to Mail Stop Amendment, Commissioner for Patents,  
5 P.O. Box 1450, Alexandria, VA 22313-1450, on this ~~30<sup>th</sup>~~ <sup>1<sup>st</sup></sup> ~~July~~ <sup>July</sup> day of ~~June~~, 2008.

Thomte Patent Law Office, L.L.C.

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DENNIS L. THOMTE

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